Law of the DPR Korea on Ship Safety

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Chapter 1 Fundamentals

Article 1 Objective
This Law is enacted with a view to establishing a strict and sound system in the design, construction, survey, safety management, security and safe navigation of ships.

Article 2 (Principles of design and construction of ships)
Proper design, construction and survey of ships are of paramount importance in ensuring safety of ships. The State shall ensure that design, construction and survey of ships fully meet the requirements of the maritime administrative laws and regulations.

Article 3 (Principles of safety management and security of ships)
Safety management and security of ships are prerequisites to ensure safety of life and property at sea, river and lake. The State shall ensure that the effective ship safety management and security system is put in place and constantly improved.

Article 4 (Principles of ensuring navigational safety of ships)
Navigational safety of ships constitutes a fundamental requirement to prevent the marine casualties at sea. The State shall ensure that the effective system of navigational safety of ships is established and strictly implemented.

Article 5 (Exemption)
This Law does not apply to warships and sporting boats.
With respect to any substance or procedure which is not provided in this Law as far as ship safety concerns, the applicable international maritime conventions (together with the associated codes and any amendments thereto) should be referred to.

Article 6 (International exchanges and cooperation with regard to the promotion of ship safety)
The State should develop exchanges and cooperation with other States and international organizations with regard to the promotion of ship safety.

Chapter 2 Design, construction and survey of ships

Article 7 (Principles of design, construction and conversion of ship)
The relevant institutions, enterprises and organizations shall design, construct and convert ships in compliance with the requirements of maritime related laws and regulations. Such activities shall be subject to the consideration and survey by the maritime administration organ.

Article 8 (Ship designers)

Any ship shall be designed by specialized organs. Any institution or enterprise may design marine engines or fittings if the maritime administration organ allows so.

Article 9 (Requirements for ship design)
Any ship shall be designed to;
1. fully ensure its strength, insubmersibility and stability;
2. meet the requirements for environmental protection;
3. comply with the requirements of maritime-related laws and regulations;
4. keep up with the trends of the latest development based on technical researches;
5. achieve maximum profit with minimum expenditure; and
6. meet both the ergonomic and aesthetic requirements.

Article 10 (Ship design contract)
Institutions, enterprises and organizations that intend to place an order for ship design service shall conclude contracts with the ship designing institutions or enterprises. In this case, the clear order of technical assignment shall be provided for each design project.

Article 11 (Stages of ship design)
Design stages shall include the stages of concept design, preliminary design, contract design, detailed design and final solution.
Ship designing institutions and enterprises shall strictly adhere to the procedures, methodologies and other scientific and technical requirements specific to each stage.

Article 12 (Validity period of ship design)
The maritime administration organ undertakes to determine the validity period of approved ship design. The ship design which has expired shall be prohibited from use.

Article 13 (Use of standardized design documentation)
Ship designing institutions and enterprises may use standardized design documents to design ships.

Article 14 (Compliance with the requirements of design and standard operation)
Institutions, enterprises and organizations shall strictly observe the requirements for design and standard operation in building, converting or repairing ships or manufacturing ship equipment and outfits. Installation, test and welding of equipment and outfits shall be performed by qualified technicians and specialists.

Article 15 (Performance test, mooring and sea trial)
The relevant institutions, enterprises and organizations shall carry out performance tests necessary for each work process of construction, conversion or repair of ships. In this case, the performance test of the ship equipment and outfits shall be undertaken after their installation on board ships. Upon completion of the construction, conversion and repair of any ship, mooring and sea trial shall be carried out to evaluate the performance of such a ship.

Article 16 (Amendment to designs and final solution stage)
The relevant institutions, enterprises and organizations may, while building, converting and repairing ships, or manufacturing ship engines, equipment and outfits, amend the relevant designs as necessary. Such amendment shall be subject to

consideration of the maritime administration organ.
Ship designing institutions, enterprises and organizations shall, upon completion of construction, conversion or repair of ships, draw up final design documents and hand them over to the relevant ship owning institutions, enterprises and organizations.

Article 17 (Hull structure, engine, equipment and outfits, load line and tonnage of a ship)
Any ship shall be built of the required hull structure, fitted with the specified engines, equipment and outfits, marked with the load line and have their tonnages determined in compliance with the maritime-related laws and regulations.
The maritime administration organ undertakes to approve the installation of marine engines and outfits onboard ships and determine the load lines and tonnages of ships.

Article 18 (Radio Equipment)
Ships shall be fitted with radio equipment for global maritime distress safety system, ship security alert system and ship long-range identification and tracking system, as required by the maritime administration organs and approved by the radio regulatory organs.

Article 19 (Introduction of inventions or ingenuity)
Any new invention or novelties intended to be introduced onboard ships or to ship designs shall be subject to agreement of maritime administration organs.

Article 20 (Certification for service of the satisfactory ships)
The ship which is found satisfactory in the survey shall be issued with the relevant certificate and undergo the annual, intermediate and renewal surveys during the period of validity of such a certificate. Any ship engaged on international voyages shall also be certificated under the international maritime conventions to which the DPRK acceded.
Any certificate which is issued to a ship shall be maintained onboard the ship.

Article 21 (Submission of complaint about ship survey, return of certificate)
The relevant institutions, enterprises and organizations that are unsatisfied with the results of any survey on their ship or have their ship certificates lost or damaged shall appeal to or request the maritime administration organ to take necessary actions. The certificates of any ship which is recycled or sold shall be returned to the maritime administration organ so shall any certificate which has expired.

Article 22 (Import of ship, ship building materials or shipborne equipment and outfits)
Any institution, enterprise or organization which intends to import a ship, ship building materials or shipborne equipment and outfits shall obtain approval by the maritime administration organ for such import. In this case, they shall submit the necessary information or specimens of those to be imported.

Article 23 (Certification or approval of organs engaged in design, construction and repair of ships as well as any relevant manufacturers and technical service providers)
The maritime administration organ shall be ensured that any institution, enterprise or organization that are engaged in construction, conversion and repair of ships or

manufacture and repair of ship materials, shipborne equipment and fittings and ship stores are properly certified with regard to their quality management systems and approved with regard to their technical services.

Article 24 (Ship Survey)
Surveys specific to ships under construction or in service, foreign flagged ships classed with the Korea Classification Society, or ships to be insured shall be undertaken by the maritime administration organ. Any such survey shall be conducted in accordance with the relevant laws and regulations.

Article 25 (Survey of ships in temporary service)
The ships intended to proceed to sea without being duly certificated for the purpose of purchase, delivery, recycling, tonnage measurement, conversion or repair shall be surveyed and issued with a certificate for temporary service by the maritime administration organ.

Chapter 3 Safety Management and Security of Ship

Article 26 Standards of safety management and security
Shipping or port operating institutions, enterprises and organizations shall establish safety management and security systems in line with the standards of safety management and security. Such standards shall be set by the national maritime authority.

Article 27 Establishment and implementation of the safety management system
Ships and shipping institutions, enterprises and organizations shall establish and fully implement safety management systems to ensure the safe operation of ships and protection of marine environment. The implementation of such systems shall be entered in the relevant record books which shall be kept for a defined period of time.

Article 28 Safety management documentation of ships and shipping institutions, enterprises and organizations
Ships and shipping institutions, enterprises and organizations shall maintain the relevant safety management documentation including the manual, procedures, guidelines and plans which provide for the duties, authorities, responsibilities, and interrelationship of individuals and methodology of ship maintenance and operation under the safety management systems.

Article 29 Establishment and implementation of the security system
Shipping and port operating organs shall establish and fully implement their security systems to ensure the prevention of dangers from the outside and protection of life and property.

Article 30 Development and implementation of ship security plans
Shipping institutions, enterprises and organizations shall ensure that security assessment of their ships is carried out and accordingly ship security plans are developed to provide security related procedures. Such plans shall be approved by the maritime administration organ and maintained onboard ships.
Ships shall fully implement their ship security plans and enter such implementation in the relevant record books which shall be kept for a defined period of time.

Article 31 Development and implementation of port facility security plans
Port operating organs shall develop their port facility security plans in accordance with the required standards. Such plans shall be approved by the maritime administration organ. Once approved, they shall be fully implemented.
The implementation of such plans shall be in entered in the relevant record books which shall be kept for a defined period of time.

Article 32 Declaration of Security
Any ship calling or engaged in work at a port or port operating organ, where any security problem is recognized, shall complete a declaration of security which shall be exchanged between the ship and port or the ship and another ship so as to ensure that security measures are taken accordingly.

Article 33 Competency of designated persons for safety management and security systems
The designated person for safety management and security officer of any ship and shipping or port operating institution, enterprise and organization shall undergo the competency assessment and accordingly be issued with a relevant certificate by the maritime administration organ.
Such an officer shall be properly qualified.

Article 34 Obligations for safety management and security audits
Ships and shipping or port operating institutions, enterprises and organizations shall be audited by the maritime administration organs with regard to their safety management and security. When they are found satisfactory during such audits, they shall be issued with safety management certificates or security certificates. No ship shall be allowed to operate without such certificates.

Chapter 4 Safe Navigation of Ships

Article 35 (Obligations of relevant organs for the safe navigation of ships)
The relevant institutions, enterprises and organizations including hydro-meteorological, hydrographic and port administration organs shall take necessary actions to ensure the safe navigation of ships in accordance with the relevant laws and regulations.

Article 36 Minimum safe manning
Any ship's complement shall comply with the minimum safe manning standards for its safe navigation. Such standards shall be determined by the maritime administrative organ.

Article 37 Record of operation
Each ship shall be provided with the deck logbook, engine logbook and other required records in which accurate information concerning its operation shall be entered. Such entries therein shall be reported to the relevant shipping institutions, enterprises and organizations.
The deck logbook, engine logbook and other required records shall be retained for defined periods of time.

Article 38 Navigation safety measures during works at sea, river and lake.
Any institution, enterprise and organization which is engaged in such works as construction or dismantlement of underwater structure or cable, ship wrecks removal, drilling, waterway maintenance and ships recycling at sea, river and lake shall take appropriate safety measures to ensure that the navigation of ships nearby is not hindered.
Such measures shall be preceded by relevant consultation with the maritime administration organ.

Article 39 Maintenance of good condition of ships
Shipping institutions, enterprises and organizations shall maintain their ships in good condition in conformity with the requirements of the maritime laws and regulations.
Any modification of structure or equipment of ships shall be subject to approval by the maritime administration organ.

Article 40 Preparations for navigation prior to departure
Within 12 hours before departure, each ship shall make preparations for its safe navigation. Such preparations shall include:
1. ensuring that the ship's complement complies with the minimum safe manning standards and had sufficient rest;
2. checking and testing the navigational equipment, main and auxiliary engines, steering gear, emergency power supply system and other necessary equipment and accordingly rectifying defects, if any;
3. planning the intended voyage, based on the appropriate nautical charts and publications and marine weather information;
4. taking necessary measures to maintain adequate stability throughout the voyage; and
5. taking other necessary actions for safe navigation.

Article 41 Pre-sailing inspection
Each ship shall be subject to a pre-sailing inspection prior to each voyage. The ships, however, which have been found satisfactory during the recent pre-sailing inspections or during the recent port State control inspections may be exempted from the pre-sailing inspection for a certain period of time.
The pre-sailing inspection shall verify that a ship is in compliance with the maritime related laws and regulations, by checking that the required certificates and documentation have been placed onboard, the hull, machinery and equipment of the ship are in satisfactory condition, ship's complement complies with the minimum safe manning standards, the measures for safe navigation and pollution prevention are put in place, etc.
Any ship which has failed in such an inspection shall be prohibited from proceeding to sea.

Article 42 Compliance with regulations of safe cargo handling
Ships shall be loaded with cargoes in accordance with their types and services. Maritime cargoes including bulk solid cargoes, dangerous goods and liquid cargoes shall be stored, handled, arranged and carried onboard in accordance with the requirements of the relevant national and international instruments.

Article 43 Maintenance of safe navigation

Each ship shall maintain safe navigation by:
1. operating in accordance with the collision prevention regulations;
2. meeting the watchkeeping standards;
3. keeping to the sea areas in which the ship is certified to operate;
4. complying with the other regulations related to safe navigation.

Article 44 Operation of radio communication equipment and control of traffic
Ships shall maintain the automatic identification system and voyage data recorder in operation at all times in order to ensure regular communication with any coastal radio station or vessel traffic station, respond to its call and follow its orders.
Traffic control in the maritime traffic control area shall be subject to the relevant laws and regulations.

Article 45 Refuge and safety measures during navigation
Ships shall take refuge in safe areas or take necessary safety measures where they are faced with unfavorable conditions including navigational warnings or narrow waterways during their navigation.
Ships shall not proceed to sea in the weather condition which is too bad to ensure safe navigation.

Article 46 Emergency response plan and muster list of a ship
Ships shall maintain an emergency response plan and muster list to effectively respond to such emergency situations as fire, flood, distress and pollution.
In case of replacement of crew members, the muster list shall be revised.

Article 47 Operation of passenger ships, pleasure boats, ferries and fishing vessels
Passenger ships, pleasure yachts, ferries and fishing vessels shall be operated in accordance with their specific regulations concerning safety of life and navigation.
A ship shall be prohibited from proceeding to sea with no navigational equipment including radar and compass fitted onboard.

Article 48 Communication of information on foreign flagged ships in relation to the safety of navigation.
If a foreign flagged ship involved in a marine casualty or incident having occurred in the DPRK waters intends to call at, depart from or be repaired at any port of the DPRK, the agency of such a ship shall submit the relevant information to the maritime administration organs.

Article 49 Request for search and rescue service when in distress.
Any ship in distress may request search and rescue services from a search and rescue coordination organ or another ship navigating in close vicinity, by sending distress signals pursuant to the relevant procedures.
Any passenger ship shall develop a plan for search and rescue co-operation to be used in the event of an emergency. Any such plan shall be subject to approval by the maritime administration organ.
The methodology and procedures for search and rescue operations shall be subject to the relevant laws and regulations.

Article 50 Payment of fee

Where ships and shipping institutions, enterprises and organizations have been provided with such services as design approval, surveys, navigational information communication and shipborne equipment reconditioning to ensure the ships' safety, they shall pay the required fees therefor.
Such fees shall be fixed by the national price control organ.

Chapter 5 Guidance and control over the administrative performance for ship safety

Article 51 Guidance and control over the administrative performance for ship safety

Reinforced guidance and control over the administrative performance for ship safety provides an important guarantee for the proper implementation of the maritime policy of the State.
The State shall ensure that its guidance and control system for enhancing ship safety is established and implemented effectively.

Article 52 Guidance on the administrative performance for ship safety

Guidance on the administrative performance for ship safety shall be undertaken by the national maritime authority and the related organs under the coordinated leadership of the Cabinet.
The national maritime authority and the related organs shall undertake regular guidance over the administrative performance for ship safety.

Article 53 Development of maritime administrative regulations and control thereof

The Cabinet and national maritime authority shall ensure that maritime administrative regulations concerning ship safety are developed on a realistic basis and keep up with the times and exercise strict control over the enforcement of such regulations.

Article 54 Supervision and control over ship safety related works

Supervision and control on ship safety related works shall be undertaken by the national maritime authority and the relevant supervisory organs which shall monitor and control the implementation of the State's maritime policies related to ship safety on a regular basis.

Article 55 Inspection of foreign flagged ships

Any foreign flagged ship calling at any port of the DPRK shall be subject to inspections by the maritime administration organ to verify that it complies with national maritime legislations of the DPRK as well as international maritime conventions.
In case of violation, the ship shall be fined, prohibited from sailing until such non-compliance is rectified or detained.

Article 56 Administrative responsibility

Administrative sanctions shall, as the case may be, be imposed on any official of institutions, enterprises and organizations or individual citizen who is to blame for the following cases:
1. in case where any design document which failed to be approved by the maritime administration organ or expired is used to build, convert or repair a ship or

manufacture shipborne fittings;
2. in case where requirements for ship design failed to be complied with or any design was amended without approval;
3. in case where any invention or novelty have been introduced to ships or ship designs without the agreement by the maritime administration organ thus resulting in compromise to ship safety;
4. in case where equipment or outfits failed to be provided as required by the relevant regulations or have been modified without approval.
5. in case where a ship or materials, equipment and outfits of a ship have been imported without approval by the maritime administration organ;
6. in case where a ship has been designed, constructed, converted and repaired or materials, engines, outfits and stores of a ship have been manufactured or serviced technically without certification or approval of technical services by the maritime administration organ;
7. in case where the ship which failed to undergo or succeed in audits of safety management and security has been operated;
8. in case where any information necessary to ensure ships' safe navigation failed to be communicated or the ship reporting system failed to be put in place;
9. in case where any work has been done without proper safety measures at sea, river or lake;
10. in case where preparations for navigation before departure, maintenance of safe navigation, normal operation of and timely response to radiocommunication installations and handling of cargoes failed to comply with the relevant requirements;
11. in case where refuge or safety measures failed to be taken despite unfavorable conditions for navigation thus resulting in a marine casualty or incident;
12. in case where emergency response plan and muster list for use in such an emergency situation as fire, flood, distress or pollution have failed to comply with the relevant requirements;
13. in case where a ship has operated with any certificate which has been forged or expired;
14. in case where ship design approval and survey failed to be carried out properly or the coastal ship monitoring system failed to be put in place;
15. in case where a foreign flagged ship' s entry into any port of the DPRK failed to be notified in time thus resulting in hindrance to the port State control inspection; and
16. in case where a ship has violated the maritime legislation of the DPRK as well as international maritime conventions in another country thus impairing the international prestige of the State or causing national losses.

Article 57 Criminal responsibility
Where any case referred to in Article 56 is judged criminal, criminal sanctions shall be imposed on the accountable official of institutions, enterprises and organizations or individual citizen in accordance with the relevant provisions of the Criminal Law.